

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	CONSENT PRELIMINARY ORDER
- v. -	:	OF FORFEITURE AS TO
	:	<u>SPECIFIC PROPERTY</u>
TEO BOON CHING,	:	
a/k/a "Zhang,"	:	S1 20 Cr. 181 (PAC)
a/k/a "Dato Sri,"	:	
a/k/a "Godfather,"	:	
	:	
Defendant.	:	
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WHEREAS, on or about January 7, 2021, TEO BOON CHING (the "Defendant"), was charged in a three-count superseding Indictment, S1 20 Cr. 181 (PAC) (the "Indictment"), with conspiracy to commit wildlife trafficking in violation of Title 18, United States Code, Sections 371 and 3238 (Count One); promotion money laundering in violation of Title 18, United States Code, Section 1956(a)(3)(A) and (c)(7)(G) (Count Two); and concealment money laundering in violation of Title 18, United States Code, Sections 1956(a)(3)(B) and (c)(7)(G) (Count Three);

WHEREAS, the Indictment included a forfeiture allegation as to Count One of the Indictment, seeking forfeiture to the United States, (1) pursuant to Title 16, United States Code, Section 3374(a) and Title 28, United States Code, Section 2461, of all wildlife imported, exported, transported, sold, received, acquired, and purchased in violation of Title 16, United States Code, Section 3372, and all vessels, vehicles, aircraft, and other equipment used to aid in the importing, exporting, transporting, selling, receiving, acquiring, and purchasing of such wildlife; (2) pursuant to Title 16, United States Code, Section 1540(e)(4) and Title 28, United States Code, Section 2461, of all wildlife taken, possessed, sold, purchased, offered for sale and purchase, transported, delivered, received, carried, shipped, exported, and imported in violation of Title 16, United States

Code, Chapter 35 and any regulation made pursuant thereto and any permit or certificate issued thereunder, and all guns, traps, nets, and other equipment, vessels, vehicles, aircraft, and other means of transportation used to aid the taking, possessing, selling, purchasing, offering for sale or purchase, transporting, delivering, receiving, carrying, shipping, exporting, and importing of such wildlife; and (3) pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461 of any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the conspiracy to violate Title 16, United States Code, Section 1538(a)(1)(F), including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offense charged in Count One of the Indictment;

WHEREAS, on or about 5/8, 2023, the Defendant pled guilty to Count One *PM* of the Indictment pursuant to a plea agreement with the Government wherein the Defendant admitted the forfeiture allegation as to Count One of the Indictment and agreed to forfeit to the United States pursuant to Title 16, United States Code, Sections 1540(e)(4) and 3374(a), and Title 28, United States Code, Section 2461, all wildlife imported, exported, transported, sold, received, acquired, and purchased that was involved in a violation of Title 16, United States Code, Section 3372, and all wildlife taken, possessed, sold, purchased, offered for sale and purchase, transported, delivered, received, carried, shipped, exported, and imported that was involved in a violation of Title 16, United States Code, Section 1538, including all right, title, and interest of the Defendant in the following specific property seized on or about August 23, 2019 by the U.S. Fish & Wildlife Service in connection with the offenses charged in Count One of the Indictment:

- a. Two black rhinoceros horn pieces; and
- b. Ten white rhinoceros horn pieces,

(a. and b. together, the “Specific Property”);

WHEREAS, the Defendant agrees to forfeit to the United States, pursuant to Title 16, United States Code, Sections 1540(e)(4) and 3374(a), and Title 28, United States Code, Section 2461, all wildlife imported, exported, transported, sold, received, acquired, and purchased that was involved in a violation of Title 16, United States Code, Section 3372, and all wildlife taken, possessed, sold, purchased, offered for sale and purchase, transported, delivered, received, carried, shipped, exported, and imported that was involved in a violation of Title 16, United States Code, Section 1538, including all right, title, and interest of the Defendant in the Specific Property; and

WHEREAS, pursuant to Title 21, United States Code, Section 853(g), and Rules 32.2(b)(3), and 32.2(b)(6) of the Federal Rules of Criminal Procedure, the Government is now entitled, pending any assertion of third-party claims, to reduce the Specific Property to its possession and to notify any and all persons who reasonably appear to be a potential claimant of their interest herein;

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorneys Michael Herman and Danielle Kudla of counsel, and the Defendant, and his counsel, Eric W. Siegle, Esq., that:

1. As a result of the offense charged in Count One of the Indictment, to which the Defendant pled guilty, all of the Defendant’s right, title and interest in the Specific Property is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of Title 21, United States Code, Section 853.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture as to Specific Property is final as to the Defendant, TEO

BOON CHING, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. Upon entry of this Consent Preliminary Order of Forfeiture as to Specific Property, the United States (or its designee) is hereby authorized to take possession of the Specific Property and to hold such property in its secure custody and control.

4. Pursuant to Title 21, United States Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions, the United States is permitted to publish forfeiture notices on the government internet site, [www.forfeiture.gov](http://www.forfeiture.gov). This site incorporates the forfeiture notices that have been traditionally published in newspapers. The United States forthwith shall publish the internet ad for at least thirty (30) consecutive days. Any person, other than the Defendant, claiming interest in the Specific Property must file a Petition within sixty (60) days from the first day of publication of the Notice on this official government internet web site, or no later than thirty-five (35) days from the mailing of actual notice, whichever is earlier.

5. The published notice of forfeiture shall state that the petition (i) shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the Specific Property, (ii) shall be signed by the petitioner under penalty of perjury, and (iii) shall set forth the nature and extent of the petitioner's right, title or interest in the Specific Property, the time and circumstances of the petitioner's acquisition of the right, title and interest in the Specific Property, any additional facts supporting the petitioner's claim, and the relief sought, pursuant to Title 21, United States Code, Section 853(n).

6. Pursuant to 32.2 (b)(6)(A) of the Federal Rules of Criminal Procedure, the Government shall send notice to any person who reasonably appears to be a potential claimant with standing to contest the forfeiture in the ancillary proceeding.

7. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture with respect to the Specific Property pursuant to Title 21, United States Code, Section 853(n), in which all interests will be addressed.

8. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

9. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture as to Specific Property, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

10. The signature page of this Consent Preliminary Order of Forfeiture as to Specific Property may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

By: Michael R Herman 4/25/2023  
MICHAEL R. HERMAN DATE  
DANIELLE KUDLA  
Assistant United States Attorney  
One St. Andrew's Plaza  
New York, NY 10007  
(212) 637-2221/2304

TEO BOON CHING

By: \_\_\_\_\_  
TEO BOON CHING DATE

By: \_\_\_\_\_  
ERIC W. SIEGLE, ESQ. DATE  
Attorney for Defendant  
Siegle & Sims LLP  
217 Broadway, Suite 611  
New York, NY 10007

SO ORDERED:

\_\_\_\_\_  
HONORABLE PAUL A. CROTTY DATE  
UNITED STATES DISTRICT JUDGE

10. The signature page of this Consent Preliminary Order of Forfeiture as to Specific Property may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

By:

MICHAEL R. HERMAN  
DANIELLE KUDLA  
Assistant United States Attorney  
One St. Andrew's Plaza  
New York, NY 10007  
(212) 637-2221/2304

DATE

TEO BOON CHING

By:

TEO BOON CHING

4/14/23  
DATE

By:

ERIC W. SIEGLE, ESQ.  
Attorney for Defendant  
Siegle & Sims LLP  
217 Broadway, Suite 611  
New York, NY 10007

DATE

Interpreted

4/14/23  
Victor Sit

SO ORDERED:

HONORABLE PAUL A. CROTTY  
UNITED STATES DISTRICT JUDGE

DATE